



## Legislation Text

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**File #:** 53476, **Version:** 1

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### **Fiscal Note**

The proposed resolution authorizes execution of the amendmended agreemtnt with Wisconsin DOT for the E. Johnson Street project from North Baldwin Street to First Street. The project is planned in the proposed 2019 Executive Capital Budget for Engineering - Major Streets for the Johnson St, East (Baldwin to First St. Phase 2) (MUNIS 10287) and the Water Utility- Water Mains Replace Rehab Improve-Reconstruct Streets (MUNIS 11893). The project is estimated to cost a total of \$5,859,289 with funding assigned from Federal Funds, GO Borrowing, Sewer Utility Revenue Bonds and Water Utility Revenue Bonds.

### **Title**

Authorizing the Mayor and City Clerk to execute an amended agreement with the State of Wisconsin Department of Transportation for the improvement of E. Johnson Street (N. Baldwin Street to First Street). (2nd & 12th ADs)

### **Body**

#### **PREAMBLE**

The City of Madison is proposing to reconstruct E. Johnson Street from Baldwin Street to First Street.

The project will be constructed under a contract let by the Wisconsin Department of Transportation (WisDOT) and a project Agreement with WisDOT is required for funding, oversight and construction. The proposed project is planned for construction in the year 2019.

The City of Madison entered into an agreement with WISDOT for preliminary design on April 19, 2015, authorized by RES-15-00259, File ID 37503. A revised agreement was executed on October 11, 2016, authorized by RES-16-00737, File ID 44329. A second revised agreement is required to update the project costs and funding limits (increase of federal funds).

The agreement with the State of Wisconsin Department of Transportation for construction cost sharing defines the terms under which the City is awarded Federal funds and the agreement requires that the City indemnify the State of Wisconsin Department of Transportation. City APM 1-1 requires Common Council Approval whenever the City indemnifies another party.

The proposed indemnification language has been reviewed by the City's Risk Manager. The City's risk exposure is increased by this clause, but the exposure is covered by the City's insurance policies, subject to their terms and conditions.

NOW THEREFORE BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute an amended agreement with the State of Wisconsin Department of Transportation for the improvement of E. Johnson Street (N. Baldwin Street to First Street), and

BE IT FURTHER RESOLVED, that the Common Council approves indemnification of the State of Wisconsin Department of Transportation as set forth in the agreement in order to use federal funds for the improvement project.